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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
 Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION  
 OFFICE OF THE SECRETARY

In re Applications of	)	MM Docket No. <u>93-94</u>
SCRIPPS HOWARD BROADCASTING	)	File No. BRCT-910603KX
COMPANY	)	
For Renewal of License	)	
Station WMAR-TV	)	
Baltimore, Maryland	)	
and	)	
FOUR JACKS BROADCASTING, INC.	)	File No. BPCT-910903KE
For Construction Permit for a	)	
New Television Facility on	)	
Channel 2 at Baltimore,	)	
Maryland	)	

To: Administrative Law Judge  
 Richard L. Sippel

**MASS MEDIA BUREAU'S MOTION TO DISMISS**  
**UNAUTHORIZED REPLY PLEADINGS**

1. On April 23, 1993, Four Jacks Broadcasting, Inc. ("Four Jacks") filed a Consolidated Reply to Oppositions to Request to Certify Application for Review. On April 26, 1993, Scripps Howard Broadcasting Company ("Scripps Howard") filed a Consolidated Reply to Oppositions. The Mass Media moves to dismiss both pleadings.

2. In their respective replies, Four Jacks and Scripps Howard each seek to reply to the oppositions to its request that the Presiding Judge certify to the Commission its application for review of the Hearing Designation Order. Four Jacks seeks leave to file at fn. 1 and Scripps Howard files pursuant to

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Section 1.294(c)(3) of the Commission's Rules, which permits the filings of replies to oppositions to petitions to dismiss applications.

3. Section 1.294(b) limits the filing of replies to certain enumerated situations. The filing of a reply to an opposition to certify is not among those enumerated. Contrary to Scripps Howard's claim, its reply is not in response to a request for dismissal of an application. Rather, it is in response to a petition to certify. As such, Section 1.294(c)(3) is inapplicable. With respect to Four Jacks, it has made no public interest showing which would warrant grant of its requested leave to file its reply.

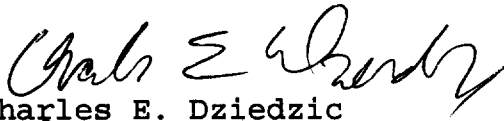
4. In summary, neither Section 1.115(e)(3)<sup>1</sup> nor Section 1.294 of the Commission's Rules contemplate the filing of replies

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<sup>1</sup> The "replies" referred to in Section 1.115(e)(3) of the Commission's Rules relate to replies to oppositions to applications for review, not to oppositions to petitions to certify.

to oppositions to petitions to certify. Accordingly, the Mass Media Bureau urges dismissal of the reply pleadings.

Respectfully submitted,  
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April 27, 1993

**CERTIFICATE OF SERVICE**

Michelle C. Mebane, a secretary in the Hearing Branch, Mass Media Bureau, certifies that she has on this 27th day of April 1993, sent by regular United States mail, U.S. Government frank, copies of the foregoing **"Mass Media Bureau's Motion to Dismiss Unauthorized Reply Pleadings"** to:

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